

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: TINA COOPER : Case No: 16-55740

: CHAPTER 13

: Judge C KATHRYN PRESTON

**TRUSTEE'S MOTION TO DISMISS**

Now comes Frank M. Pees, standing Chapter 13 Trustee herein, and moves this Court to dismiss this case pursuant to 11 U.S.C. §§1307(c), 521(b) and/or 109(h) for the reasons set forth below:

Debtor(s) have not made complete payments into the confirmed plan, resulting in an arrearage of approximately 4 months and \$5,074.22, which constitutes a material default under the plan pursuant to 11 U.S.C. §1307(c)(6).

Wherefore, the Trustee requests that an order be entered dismissing this case, granting the Trustee leave to file his Final Report, and discharging the Trustee from his trust.

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees  
Chapter 13 Trustee  
130 E. Wilson Bridge Road #200  
Worthington, Ohio 43085-6300  
(614)436-6700  
trustee@ch13.org

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
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In Re: TINA COOPER : Case No: 16-55740

: CHAPTER 13

Debtor(s) : Judge C KATHRYN PRESTON

**NOTICE OF MOTION TO DISMISS**

The Chapter 13 Trustee has filed papers with the court to dismiss this case.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by ordinary U.S. Mail to Clerk, U.S. Bankruptcy Court, 170 N. High Street, Columbus, OH 43215 OR your attorney must file a response using the court's ECF System.

The court must **receive** your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF System or 2) ordinary U.S. Mail to:

Frank M. Pees	United States Trustee
Chapter 13 Trustee	170 N. High Street, #200
130 E. Wilson Bridge Road, #200	Columbus, OH 43215
Worthington, OH 43085	

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

**If a response is filed within the time provided above, then a hearing will be held on March 08, 2019 at 1:30PM, at U.S. Bankruptcy Court 5th Floor, 170 N. High Street Courtroom C, Columbus, OH 43215. If no response is filed within the time provided, then no hearing will be held.**

Dated: Tuesday, January 15, 2019

/s/ Frank M. Pees

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Frank M. Pees  
Chapter 13 Trustee  
130 E. Wilson Bridge Road #200  
Worthington, Ohio 43085-6300  
(614)436-6700

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 15, 2019, a copy of the foregoing Motion to Dismiss was served on the following registered ECF participants electronically through the court's ECF system at the email address registered with the court:

U.S. Trustee  
Frank M. Pees  
Erin E. Schrader  
Richard John LaCivita  
James E Tebbutt

and on the following by **ordinary U.S. mail** address to:

Tina Cooper  
5453 Town Hill Dr.  
Canal Winchester, OH 43110

/s/ Frank M. Pees  
Frank M. Pees  
Chapter 13 Trustee